

**PATENT
ATTORNEY DOCKET NO. 07588/026003**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled HUMAN BLOOD CORD DERIVED UNRESTRICTED SOMATIC STEM CELLS (USSC), the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with 37 C.F.R. § 1.56.

PROVISIONAL PRIORITY RIGHTS: I hereby claim priority benefits under 35 U.S.C. § 119(e) of any United States provisional patent application(s) listed below filed by an inventor or inventors on the same subject matter as the present application and having a filing date before that of the application(s) of which priority is claimed:

| Serial Number | Filing Date | Status |
|---------------|------------------|-----------|
| 60/245,168 | November 3, 2000 | Abandoned |

NON-PROVISIONAL PRIORITY RIGHTS: I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| Serial Number | Filing Date | Status |
|---------------|------------------|---------|
| 09/985,335 | November 2, 2001 | Pending |

I hereby appoint the attorneys and/or agents associated with customer number **21559** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence relating to this application to the address associated with customer number **21559**, which is Clark & Elbing LLP, 101 Federal Street, Boston, MA 02110.

Address all telephone calls to: Paul T. Clark at 617-428-0200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

| Full Name (First, Middle, Last) | Residence Address (City, State, Country) | Post Office Address (Street, City, State, Country) | Citizenship |
|------------------------------------|---|---|-------------|
| Peter Wernet | Dusseldorf, GERMANY | Im Winkel 1, Dusseldorf, GERMANY | Germany |
| Signature: | | Date: | |